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July 22, 2022

By Electronic Submission

Honorable Victor Marrero
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: National Coalition on Black Civic Participation v. Jacob Wohl,
SDNY Case No. 20 Civ. 8668 (VM)(OTW)

Dear Judge Marrero,

We represent the Defendants Jacob Wohl, Jack Berkman, J.M. Berkman & Associates, LLC, and Project 1599 (collectively, “Defendants”) in the above-referenced matter. On July 21st 2022 we joined with the Plaintiffs in respectfully requesting that the Court extend the page limit to a maximum of 35-pages. In pertinent part Plaintiffs in their request noted that “Defendants’ counsel consents to this request, and reciprocally requested the same extension for Defendants’ moving brief to span 35 pages..[and].. Plaintiffs have no objection to that request.”

For all the reasons enunciated therein and also as stated by Plaintiffs in the joint letter request “[c]oncerning Defendants’ request, counsel asserts the basis for his request mirrors Plaintiffs’ position: “we are addressing all parties’ claims in a single motion for judicial economy, including the AG’s additional four claims. This is the first application for an extension to the Court’s page limit rule. We thank the Court for its consideration of this request.”

We would also add that this case involves the intersection of a novel fact pattern with a sparsity of case law relevant to addressing alleged section 11(b) violations as well as significant constitutional questions.

Your expressly granted Plaintiffs’ request stating “Plaintiffs may file one joint motion for summary judgment with a thirty-five page limit.” without referencing Defendants’ request to have a thirty-five page limit.

Please grant our request or clarify that your also order extends to Defendants. Judicial economy, the NYAG’s addition of new cause of action and providing Defendants for a fair opportunity to articulate the basis for its motion all are in favor of such a reciprocal grant of extension of the page count.

Thank you for either clarifying your order or granting this request.

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Respectfully submitted,
/s/ Randy Kleinman
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Encl.
cc: Counsel of record (via ECF)